

Notice of Allowability

Application No.

09/881,911

Examiner

Alain L. Bashore

Applicant(s)

TAYLOR ET AL.

Art Unit

1762

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 3-23-07.
2. ☒ The allowed claim(s) is/are 1, 2, 4-18 and 20-35.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

ALAIN L. BASHORE
PRIMARY EXAMINER

DETAILED ACTION

Response to Board Decision

1. This office action is in response to the decision by the Board of Patent Appeals and Interferences rendered 3-23-07.

Allowable Subject Matter

2. Claims 1, 2, 4-18 and 20-35 are allowed.

REASONS FOR ALLOWANCE

3. The following is an examiner's statement of reasons for allowance:

The present invention includes independent claims 1, 16-17, 32-35. Claims 1 and 16 recites a method to pre-approve a bidder for network-based shopping, claims 17, 32 and 34 recite a method to pre-approve a buyer for network-based shopping, and claims 33 and 35 recites a computer-readable medium having stored thereon a set of instructions to translate instructions, the set instructions, which when executed by a processor, cause the processor to perform a method.

Stewart is considered the closest prior art. Stewart discloses a method to facilitate network-based shopping on an auction web site where there is communication

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between a network-based auction facility and a seller. Bidders are recorded as qualified to participate before the bidder may bid.

Stewart does not disclose the claimed combination including:

In claim1:

receiving an authorization communication, over a network, at a network-based auction facility, the authorization communication to authorize the bidder to bid on a particular sale listing that is listed for sale by a seller; and

at the network-based auction facility, automatically recording the bidder as authorized to bid on the particular sale listing responsive to the authorization communication.

In claim 16:

receiving an authorization communication, over a network, at a network-based shopping facility the authorization communication to authorize the buyer to buy a particular offering offered for sale by a seller; and

at the network-based auction facility, automatically recording the buyer as authorized to buy the particular offering responsive to the authorization communication.

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In claim 17:

a communications module to communicate between a network-based auction facility and a seller; and

an authorization module to record a seller authorization of a bidder to bid on a particular sale listing via the communication.

In claim 32:

a communications module to communicate between a network-based shopping facility and a seller; and

an authorization module to record a seller authorization of a buyer to buy a particular offering via the communication.

In claim 33:

communicate between a network-based auction facility and a seller, the communication to authorize a bidder to bid on a particular sale listing that is listed for sale by the seller; and

automatically record the bidder as authorized to bid on the particular sale listing responsive to the communication.

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In claim 34:

a first means for receiving a communication between a network-based auction facility and a seller; and

a second means for automatically recording a seller authorization of a bidder to bid on a particular sale listing responsive to the communication.

In claim 35:

communicate between a network-based auction facility and a seller, the communication to authorize a buyer to buy a particular offering offered for sale by the seller; and

automatically record the buyer as authorized to buy the particular offering responsive to the communication.

For these reasons claims 1, 16-17, 32-35 are deemed to be allowable over the prior art of record, and claims 2, 4-15, 18, 20-31 are allowable by dependency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Drawings

4. New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the drawings filed 6-15-01 are considered informal in nature. Formal drawings are now required. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alain L. Bashore whose telephone number is 571-272-6739. The examiner can normally be reached on about 7:30 am to 5:00 pm (Mon. thru Thurs.).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on 571-272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Alain L. Bashore/
Primary Examiner
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